



**FEDERAL COMMUNICATIONS COMMISSION  
ENFORCEMENT BUREAU  
REGION 3**

**Portland Resident Agent Office**  
P.O. Box 61469  
Vancouver, Washington 98666-1469  
(360) 696-6707

July 18, 2016

Conveyered Aggregate Delivery Inc. (CAD)  
Eugene, Oregon 97402

**NOTICE OF UNLICENSED OPERATION**

Case Number: EB-FIELDWR-16-00022174  
Document Number: W201632920001

The Portland Office received a complaint that an unlicensed radio station on the Public Safety frequency 458.950 MHz was allegedly operating in Eugene, Oregon. The complaint specified a construction site from which the operation was occurring. Investigation conducted on June 28, 2016, revealed that Conveyered Aggregate Delivery Inc. ("CAD") owned and operated a Hetronic International Inc. transmitter (FCC ID LW9-CS458-TX), which was installed in a delivery boom truck bearing Oregon license plate number YCS441 in Eugene, Oregon. An agent interviewed CAD's representative, identified by first name "Jeff", and he admitted that CAD purchased the referenced delivery truck that came with the Hetronic transmitter from a previous owner and did not know about the FCC licensing requirements. The CAD representative agreed to cease operations at that time because of the on-going interference. The Commission's records show that CAD did not have any FCC license for operation of 458.950 MHz in Eugene, Oregon.

Radio stations must be licensed by the FCC pursuant to 47 U.S.C. § 301. The only exception to this licensing requirement is for certain transmitters using or operating at a power level that complies with the standards established in Part 15 of the Commission's rules, 47 C.F.R. §§ 15.1 *et seq.* The Hetronic transmitter is authorized to operate in the 458.8 – 459.2 MHz band pursuant to Part 90.217 of the Commission's Rules, not in Part 15. Accordingly, a license is required to operate this transmitter pursuant to Part 90 of the Commission's Rules. Thus, this station is operating in violation of 47 U.S.C. § 301.

You are hereby warned that operation of radio transmitting equipment without a valid radio station authorization constitutes a violation of the Federal laws cited above and could subject the operator of this illegal operation to severe penalties, including, but not limited to, substantial monetary forfeitures, *in rem* arrest action against the offending radio equipment, and criminal sanctions including imprisonment. (*see* 47 U.S.C. §§ 401, 501, 503 and 510).

**UNLICENSED OPERATION OF THIS RADIO STATION MUST BE DISCONTINUED  
IMMEDIATELY.**

You have ten (10) days from the date of this notice to respond with proof of your license or authority to operate granted by the FCC. Your response should be sent to the address in the letterhead and reference the listed case and document number. Under the Privacy Act of 1974, 5 U.S.C. § 552a(e)(3), we are informing you that the Commission's staff will use all relevant material information before it to determine what, if any, enforcement action is required to ensure your compliance with FCC Rules. This will include any information that you disclose in your reply.

You may contact this office if you have any questions.

Binh Nguyen  
Resident Agent  
Portland Resident Agent Office

Attachments:

Excerpts from the Communications Act of 1934, As Amended  
Enforcement Bureau, "Inspection Fact Sheet," March 2005